

**FULL BOARD MEETING AGENDA
of the
BOARD OF DENTISTRY
301 S. PARK AVE. - HELENA, MT- 4th FLOOR LARGE CONFERENCE
ROOM NOVEMBER 30, 2018, 10:00 A.M. TO 4:30 P.M.**

1. CALL TO ORDER - ESTABLISH QUORUM - INTRODUCTION OF BOARD & STAFF MEMBERS

PRESENT: (00:00:14)

Board Members Present

Ms. Diedri Durocher, RDH
Mr. Jim Corson, Public Member, via phone
Dr. Kevin Miltko, DDS
Ms. Diane Klemann, RDH
Dr. Aimee Ameline, DDS
Dr. Leslie Hayes, DDS
Dr. George Johnston, DDS
Mr. Cliff Christenot, LD
Dr. Dale Chamberlain, DDS, present briefly by phone

Board Members Not Present

Ms. Cherry Loney, Public Member

Staff Present

Mr. Dennis Clark, Executive Officer
Mr. Bradley Jones, Board Counsel
Ms. Juanita Kazmierowski, Administrative Specialist

Public Present

Karen Thomas
Clancy Casey
Katie Glueckert
Kevin Dunlap
Cecilia Zinnikas
Andy Althausen
Dr. Jane Gillette
Allen Casteel
Kevin Rencher
Carol Casteel
John Smith
Amber Reap
Susan Bell

2. APPROVAL AND TENTATIVE MODIFICATION OF AGENDA ORDER:

(00:01:06)

November 30, 2018

MOTION (00:02:26) Ms. Diedri Durocher moved to approve the agenda as modified, Dr. Aimee Ameline seconded. The motion carried unanimously.

3. REVIEW OF MINUTES:

(00:03:03)

September 14, 2018

(00:04:02) Ms. Diane Klemann moved to approve the September 14, 2018 minutes as amended, Dr. Leslie Hayes seconded. The motion carried unanimously.

4. DIVISION ADMINISTRATOR UPDATE:

(00:31:30)

Todd Younkin

5. PUBLIC OPPORTUNITY TO COMMENT: (00:04:57)

(Presiding Officer Statement) "Under this item, the Board will offer an opportunity to members of the public in attendance to comment on any public matter under the jurisdiction of the Board that is not on the agenda of this meeting. While the Board cannot take action on any issues presented, the board will listen to comments and may ask staff to place the issue on a subsequent agenda. The presiding officer may limit the comment period in order to proceed with the board meeting."

6. BOARD ACTION:

a. NON-ROUTINE APPLICATIONS: (00:20:35)

DENTIST BY CREDENTIALING: (00:20:37)

Benjamin Tingey, DDS (00:20:45)

MOTION (00:22:50) Ms. Diedri Durocher moved to accept the Dentist by Credentialing application for Benjamin Tingey, DDS, Ms. Diane Klemann seconded. The motion carried unanimously.

Michelle Caldwell, DDS (00:23:25)

MOTION (00:25:05) Ms. Diedri Durocher moved to approve the Dentist by Credentialing application for Michelle Caldwell contingent upon successful completion of her Montana jurisprudence prudence exam, Ms. Leslie Hayes seconded. The motion carried unanimously.

Antonella Lanza, DDS (00:25:56)

MOTION (00:29:11) Dr. Kevin Miltko moved to approve the Dentist by Credentialing application for Antonella Lanza, Ms. Diane Klemann seconded. The motion carried unanimously.

Eric Buck, DDS (00:36:43)

MOTION (00:38:43) Dr. Kevin Miltko moved to deny the application for Eric Buck, Ms. Diane Klemann seconded.

AMENDED MOTION (00:46:37) Dr. Kevin Miltko moved to amend his previous motion to encompass; Rule 24.138.519(b); (d) and 37.01.316(18) as the reason for his denial, Ms. Diane Klemann seconded. The motion carried unanimously.

Jarom Maurer, DMD (00:47:35)

MOTION (00:48:18) Dr. Kevin Miltko moved to accept the Dentist by Credentialing application for Jarom Maurer, Ms. Diane Klemann seconded. The motion carried unanimously.

b. MONTANA PROFESSIONAL ASSISTANCE PROGRAM (MPAP) REPORT: (00:05:37) Quarterly report – Michael Ramirez, Clinical Director, Cecelia Zinnikas, Clinical Coordinator

c. RULE COMMITTEE: (00:51:26)

Minutes and report from the November 14, 2018 rules committee meeting

MOTION (00:53:12) Ms. Diedri Durocher moved to approve the November 14, 2018 Rule Committee minutes with amendments, Dr. Leslie Hayes seconded. The motion carried unanimously.

MOTION (01:02:54) Dr. Kevin Miltko moved to accept the changes as presented by the Rules Committee to Rules 24.138.402, 24.138.511, 24.138.512, 24.138.2302, 24.138.510, 24.138.502, 24.138.503, 24.138.506 and 24.138.508, Ms. Diane Klemann seconded. The motion carried unanimously.

MOTION (01:07:59) Dr. Kevin Miltko moved to accept the changes as presented to Rules 24.138.2105 and 24.138.3229, Ms. Diedri Durocher seconded. The motion carried unanimously.

MOTION (01:10:20) Dr. Kevin Miltko moved to refer the Sexual Misconduct rules back to the Rules Committee for further discussion and crafting language, Ms. Diane Klemann

seconded. The motion carried unanimously.

AMENDED MOTION (01:26:46) Dr. Kevin Miltko to also include forwarding [24.138.415](#) [NINETY-DAY GUARANTEE REQUIRED BY DENTURISTS](#) and [24.138.505](#) [DENTIST LICENSURE BY CREDENTIALS\(e\)](#) to the Rules Committee, Ms. Diane Klemann seconded. The motion carried unanimously.

d. ANESTHESIA COMMITTEE: (01:28:33)

Report from the November 19, 2018 anesthesia committee meeting and updates

e. LEGISLATION: (03:57:18)

LC0547 Generally revise dental auxiliary laws **(03:57:27)**

LC0280 "Substantial Equivalency" draft bill from the Department of Labor and Industry. **(03:58:06)**
This proposal will amend "may" to "shall" in 37-1-304 because in the past, the term "may" has been interpreted to be permissive in considering whether another state's license requirements are substantially equivalent to Montana's. This interpretation has allowed some boards to avoid conducting a substantial equivalency analysis of the other state's licensure requirements and instead, require out of state applicants to submit proof of their original qualifications to become licensed. With this change, we will clarify that it is mandatory for DLI staff and boards to review the other state's licensing requirements to determine whether that state's requirements are substantially equivalent to Montana's requirements and if so, issue a temporary permit or license with reservation of rights while awaiting verification of licensure in good standing from the other state. As a result of doing the substantial equivalency analysis, boards and the department will have a better idea of how Montana's standards compare to other states. Boards will seek advice of counsel to determine whether another state's licensing requirements are substantially equivalent to Montana's requirements, and must base their determination on specific criteria. Please note that Montana practice acts with more specific requirements for applicants licensed in another state will not be affected by this bill.

The department requests that the board consider a motion to support the bill.

MOTION (04:00:56) Dr. Kevin Miltko moved to oppose LC0280, Dr. Leslie Hayes seconded. The motion carried.

(04:22:00) called the vote as follows:

In support of the motion: Dr. Kevin Miltko, Dr. Leslie Hayes, Ms. Diane Klemann, Dr. Aimee Ameline, Dr. George Johnston, Mr. Jim Corson

Opposed the motion: Ms. Diedri Durocher and Mr. Cliff Christenot

LC0107 - Generally revise prescription drug laws – requested by Department of Justice - Law and Justice Interim Committee **(04:23:16)**

LC0309 - Revise Prescription Drug Registry – requested by the Economic Affairs Interim Committee **(04:23:45)**

f. SILVER DIAMINE FLUORIDE (SDF): (02:13:20)

Discuss appropriate use of and who can place this topical medicament, tabled from the September 14, 2018 meeting

Montana Dental Association submission of ADA video on SDF

Montana Dental Association document regarding SDF

Dr. Kevin Rencher document regarding SDF

Montana Dental Hygienist Association document regarding SDF.

MOTION (02:34:50) Dr. Kevin Miltko moved that SDF be limited to direct supervision of a dentist and only be applied after a full examination by a dentist. Due to lack of a second, the motion failed.

MOTION (03:43:01) Ms. Diedri Durocher moved to add to Rule 24.138.419 under the allowable fluoride agents, 38% SDF limited prescriptive authority, allowable percentage of topical agents, Ms. Diane Klemann seconded. Called the vote: Mr. Corson – no, Dr. Ameline – no, Ms. Hayes – no, Dr. Miltko – no, Ms. Klemann – yes, Dr. Johnston – yes, Ms. Durocher – yes, Mr. Christenot – yes. The motion failed.

MOTION (03:55:20) Ms. Diane Klemann moved to send [24.138.419 LIMITED PRESCRIPTIVE AUTHORITY – QUALIFICATIONS – ALLOWABLE PERCENTAGES OF TOPICAL AGENTS](#) to the Rules Committee, Ms. Diedri Durocher seconded. The motion carried unanimously.

g. SCREENING PANEL ACTION REPORT: (04:27:45)

Dr. Miltko

h. CORRESPONDENCE-REQUESTS: (04:36:35)

Letter from Dr. Gregory Pisk, D.C. regarding hygienist scope of practice administering Botox, dermal fillers under medical supervision

MOTION (04:45:12) Dr. Kevin Miltko moved to direct staff to address correspondence back to Dr. Pisk, Ms. Diane Klemann seconded. The motion carried unanimously.

i. EXECUTIVE OFFICER REPORT: (04:46:08)

2019 Fiscal Year to date

j. PROCESS FOR DETERMINING REPLACEMENT LANGUAGE FOR [24.138.2302 UNPROFESSIONAL CONDUCT FOR DENTURISTS\(1\)\(J\)](#): (04:30:01)

Letter from the Denturist Association of Montana

Memorandum from Bradley Jones, Board Counsel, state by state comparison of the regulation of Denturist

Motion (04:34:31) Ms. Diane Klemann moved to have an interim meeting to determine replacement language for Rule 24.138.2302 Unprofessional Conduct for Denturists, Dr. Kevin Miltko seconded. The motion carried unanimously.

7. MONTANA PRESCRIPTIVE DRUG REGISTRY: (04:54:37)

Monthly Reports – Donna Peterson, Program Manager

8. FTC POLICY PERSPECTIVE – “OPTIONS TO ENHANCE OCCUPATIONAL LICENSE PORTABILITY”

Informational policy paper submitted by board member Diedri Durocher, RDH (05:10:52)

9. BOARD/NATIONAL ASSOCIATIONS: (05:11:18)

a. AMERICAN ASSOCIATION OF DENTAL BOARDS (AADB): (05:11:24)

Approve travel to the AADB mid-year meeting in Chicago March 9-10, 2019 for a board liaison and Executive Officer

MOTION (05:14:02) Ms. Diedri Durocher moved to approve travel for a board liaison and the Executive Officer to the AADB meeting in Chicago March 9-10, 2019, Ms. Diane Klemann seconded. The motion carried unanimously.

(05:15:10) Dr. Kevin Miltko left the meeting.

b. AMERICAN ASSOCIATION OF DENTAL ADMINISTRATORS (AADA): (05:15:50)

Approve travel for Executive Officer to attend the AADA mid-year meeting in Chicago March 9, 2019

c. WESTERN REGIONAL EXAMINATION BOARD (WREB): DENTAL EXAMINERS REVIEW BOARD (DERB) AND HYGIENISTS EXAMINERS REVIEW BOARD (HERB): (05:16:37)

WREB Executive Directors Workshop October 2018 - Executive Officer Report
November 2, 2018 meeting summary of the Hygiene Exam Review Board (HERB)
Meeting summary of the Dental Exam Review Board (DERB)

d. JOINT COMMISSION ON NATIONAL DENTAL EXAMINATIONS (JCND): (05:21:52)

Update on the implementation plan for the Integrated National Board Dental Examination (INDBE) - Dr. Chamberlain was absent, moved to next meeting agenda.

e. DENTAL ASSISTING NATIONAL BOARD (DANB): (05:22:05)

State of the States report on dental assisting - Informational
MONTANA BOARD OF DENTISTRY FULL BOARD MEETING NOVEMBER 30, 2018

10. SET AND CONFIRM FUTURE BOARD MEETINGS: (04:41:59)

- Confirm March 8, 2019, June 7, 2019 and September 6, 2019 meeting dates
- Set winter 2019 date, December 6, 2019
- Schedule possible meeting dates for the Dental Hygiene, Denturistry, Rules Committee (January 30, 2019) and Anesthesia Committees (January 25, 2019)
- Interim meeting, January 16, 2019

11. LEGAL REPORT: (05:24:22)

12. CENTRAL REGIONAL DENTAL TESTING SERVICE (CRDTS):

View PowerPoint and video of CRDTS local anesthesia clinical exam.

13. ADJOURNMENT: (05:48:45)